

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 42 BOARD OF SOCIAL WORK EXAMINERS

Chapter 01 Regulations Governing Licensure

Authority: Health Occupations Article, §§19-101—19-502, Annotated Code of Maryland

.01 Scope and Purpose.

- A. This chapter applies to individuals practicing social work in the State.
- B. The purpose of this chapter is to protect the public by:
 - (1) Providing criteria for licensure under the law for those who seek to practice social work; and
 - (2) Promoting and maintaining high standards of professional activity in social work.

.02 Definitions.

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms Defined.
 - (1) "Accredited" means receiving:
 - (a) Accreditation from the Council on Social Work Education; or
 - (b) Approval of a program for an individual applicant by the Council on Social Work Education's Foreign Equivalency Determination Service that the program is equivalent to a program accredited by the Council on Social Work Education.
 - (2) "Board" means the State Board of Social Work Examiners.
 - (3) "Clinical course work" means clinical social work courses offered by an accredited or provisionally accredited program.
 - (4) Clinical Social Work.

(a) "Clinical social work" means the professional application of social work theory and methods for the treatment and prevention of psychosocial dysfunction, disability, or impairment, including emotional and mental disorders of individuals and families.

(b) "Clinical social work" includes rendering a diagnosis based on the Diagnostic and Statistical Manual in current use.

(5) "Clinical social work experience" means:

(a) Completing assessments;

(b) Formulating diagnostic impressions;

(c) Treating mental disorders and other conditions; or

(d) Providing psychotherapy.

(6) "Documentation of clinical course work" means providing transcripts indicating the completion of clinical course work from a college or university that is based on:

(a) An accredited or a provisionally accredited graduate social work program; or

(b) An accredited bachelor of social work program if a student entered an accredited or provisionally accredited graduate program with advanced standing.

(7) "Independent practice" means the practice of a licensed social worker without the requirement of supervision.

(8) "Licensed" means that the individual possesses a license to practice social work issued by the Board.

(9) "Licensed in any other state" means to be licensed, registered, or certified by a government authority charged with licensing, registering, or certifying social workers.

(10) "Licensee" means an individual licensed by the Board.

(11) "Licensee in another state" means an applicant that is licensed, registered, or certified by a government authority charged with licensing, registering, or certifying social workers.

(12) Practice Social Work.

(a) "Practice social work" has the meaning stated in Health Occupations Article, §19-101(m), Annotated Code of Maryland;

(b) "Practice social work" includes supervising a candidate for advanced licensure and a licensee in the practice of social work, when appropriate.

(13) "Provisionally accredited" means a social work program that currently holds formal candidacy status, but is not accredited by the Council on Social Work Education.

(14) "Social work" means the professional activity of helping individuals, families, groups, or communities to enhance or restore their capacity for social functioning.

(15) "Social worker" means an individual:

(a) Licensed under Health Occupations Article, Title 19, Annotated Code of Maryland, and who represents to the public by a title or description which incorporates the words "social worker", "social work", or a similar designation; and

(b) Who, under the title or description, offers to render, attempts to render, or renders services involving the application of principles, methods, and procedures of the profession of social work to individuals or groups.

(16) "Supervision" means a formalized professional relationship between a supervisor and supervisee in which the supervisor directs, monitors, and evaluates the supervisee's social work practice while promoting development of the supervisee's knowledge, skills, and abilities to provide social work services in an ethical and competent manner.

.03 Use of Title.

A. An individual shall be licensed by the Board in accordance with Health Occupations Article, Title 19, Annotated Code of Maryland, and this chapter, before that individual may be identified as a social worker and practice social work.

B. The title "social worker" shall be used only by a licensed social worker.

C. Except as otherwise provided in this chapter or provided in Health Occupations Article, §19-301(b), Annotated Code of Maryland, an individual licensed as a social worker in another state may not practice social work in this State unless licensed by the Board.

.04 Independent Practice.

A. A certified social worker—clinical may engage in the independent practice of social work.

B. A certified social worker may engage in the independent practice of social work, except when performing psychotherapy.

C. A licensed graduate social worker, provisional graduate social worker, or licensed social worker associate, may not engage in the independent practice of social work.

.05 Licensure.

A. Social Work Associate.

(1) The Board shall issue a social work associate's license to an applicant who has met the qualifications in Health Occupations Article, §19-302(a) and (b), Annotated Code of Maryland.

(2) If a social work associate applies for licensure in a different category, the application shall be treated as an initial application subject to the appropriate fees.

B. Graduate Social Worker and Provisional Graduate Social Worker.

(1) The Board shall issue a graduate social worker or a provisional graduate social worker's license to an applicant who has met the applicable qualifications in Health Occupations Article, §19-302(a) and (c), Annotated Code of Maryland.

(2) If a graduate social worker applies for licensure in a different category, the application shall be treated as an initial application subject to the fees set forth in COMAR 10.42.05.

(3) A licensee with a provisional graduate social worker's license shall apply for a graduate social worker license when the program becomes accredited subject to the fees set forth in COMAR 10.42.05.

(4) A provisional graduate social worker's license shall be valid until one of the following occurs:

(a) 3 years have passed from the issuance of the license; or

(b) The provisionally accredited program:

(i) Becomes accredited;

(ii) Withdraws its application for accreditation; or

(iii) Is denied or otherwise does not become accredited.

(5) A provisional graduate social worker license may not be renewed.

(6) If a provisional graduate social worker receives a graduate social worker's license, the hours of supervision received while a provisional graduate social worker may be recognized for the purpose of advanced licensure.

C. Certified Social Worker.

(1) The Board shall issue a certified social worker's license to an applicant who has met the qualifications in Health Occupations Article, §19-302(a) and (d), Annotated Code of Maryland.

(2) The applicant for a certified social worker's license shall have 2 years of supervised social work experience as a licensed graduate social worker or a provisional graduate social worker, with supervised social work experience of at least 3,000 hours while licensed as a graduate social worker or a provisional graduate social worker, which is:

(a) In compliance with COMAR 10.42.08;

(b) Performed in not less than 2 years and not more than 6 consecutive years; and

(c) Obtained by the candidate while performing social work activities professionally and for compensation.

(3) A candidate shall have obtained a graduate social worker license or a provisional graduate social worker's license before beginning to obtain the 3,000 hours of supervised social work experience.

(4) A candidate shall have obtained a graduate social worker license before applying for a certified social worker license.

(5) If a certified social worker applies for licensure in a different category, the application shall be treated as an initial application subject to the appropriate fees.

(6) Social work experience required to obtain a certified social worker license may include one or more of the following:

- (a) Case management;
- (b) Information and referral;
- (c) Advocacy;
- (d) Research;
- (e) Community organization;
- (f) Administrative activities; and
- (g) Supervision.

(7) The supervisor and supervisee shall conform to the requirements in COMAR 10.42.08.

(8) Unless otherwise excepted under Health Occupations Article, Title 19, Annotated Code of Maryland, or COMAR 10.42.01—.07, waiver of supervision shall be in compliance with COMAR 10.42.08.09 if performed as a social worker.

D. Certified Social Worker—Clinical.

(1) The Board shall issue a certified social worker — clinical license to an applicant who has met the requirements in Health Occupations Article, §19-302(a) and (e), Annotated Code of Maryland, with documentation of clinical course work.

(2) An applicant for a certified social worker—clinical license shall have completed 12 academic credits of clinical course work from an accredited program with a minimum of six of the 12 academic credits obtained in a Master's of Social Work program.

(3) The applicant for a certified social worker—clinical license shall have 2 years of supervised clinical social work experience as a licensed graduate social worker or a provisional graduate social worker, with supervised clinical social work experience of at least 3,000 hours while licensed as a graduate social worker or provisional graduate social worker, which is:

- (a) In compliance with COMAR 10.42.08;
 - (b) Performed in not less than 2 years and not more than 6 consecutive years; and
 - (c) Obtained by the candidate while performing social work activities professionally and for compensation.
- (4) A candidate shall have obtained a graduate social worker license before applying for a certified social worker — clinical license.

(5) A candidate shall have obtained a graduate social worker or a provisional social worker's license before beginning to obtain the 3,000 hours of supervised social work experience.

(6) A licensed graduate social worker or provisional graduate social worker may not render a diagnosis while obtaining the requisite 3,000 hours of supervised clinical social work experience.

(7) Clinical social work experience for the purpose of obtaining a certified social worker—clinical license shall be in direct service to clients and may not consist solely of:

- (a) Telephonic clinical assessment;
 - (b) Triage;
 - (c) Continued stay reviews; and
 - (d) Discharge planning.
- (8) The supervisor and supervisee shall conform to the requirements in COMAR 10.42.08.
- (9) Half of the supervised clinical social work experience required to obtain a certified social worker—clinical license shall consist of face-to-face client contact.

.06 Required Hours of Supervised Social Work Experience.

A. A candidate with experience obtained in Maryland shall have obtained a licensed graduate social worker or provisional graduate social worker's license before beginning to obtain the requisite 3,000 hours of supervised social work experience.

B. A candidate with 3,000 hours of supervised social work experience from another state or jurisdiction of the United States shall provide documentation that the candidate met the licensing, certification, or registration requirements in that state or jurisdiction while acquiring the requisite supervised social work experience.

.07 Examinations.

A. The general requirements for examination are:

- (1) Completion of the application form;
- (2) Payment of the application fee;
- (3) Receipt of an official transcript indicating completion of an accredited program from the university or school awarding the applicable social work degree attained or, for applicants who are expected to receive the applicable social work degree at the end of the semester, official evidence under seal of the university or school with the accredited program indicating the:
 - (a) Degree that the applicant is expected to receive; and
 - (b) Date that the applicant is expected to receive the degree.
- (4) Receipt of three professional references from individuals familiar with the work of the applicant; and
- (5) For candidates for examination for certified social worker—clinical or certified social worker licenses, documentation of social work experience and social work supervision.

B. Applicants may request special accommodations if disabled or if English is the applicant's second language.

.08 Approval Notification.

A. The Board shall notify an applicant whether the applicant has been approved to take the pertinent licensure examination within 60 days of receiving the application.

B. Approval shall be valid for 2 year from the date of approval.

C. After two years the applicant shall:

- (1) Reapply to take the appropriate licensure examination;
- (2) Submit all of the required documentation; and
- (3) Meet the current licensure requirements under this chapter.

.09 Examinations—Use of National Examination Boards Permitted.

The Board may use a national examination board such as the Association of Social Work Boards as the Board's agent in examining applicants.

.10 Passing Score for Examination.

The passing grade for an examination is a scaled score of 75.

.11 Reexamination.

A. An applicant who fails the examination:

- (1) May retake the examination four times within the 12-month period after a failed examination; and
- (2) May not retake the examination within 3 months of failing the examination.

B. An applicant may request and be granted or denied a waiver of the 3-month waiting period after failure of an examination upon proof of exceptional circumstances.

.12 Waiver of Examination.

An applicant who is licensed or registered to practice social work in another state shall have the licensure examination waived if the applicant complies with Health Occupations Article, §19-305, Annotated Code of Maryland, and has passed:

A. The Association of Social Work Boards' licensure examination for the pertinent level of licensure; or

B. An Association of Social Work Boards' examination as follows:

- (1) A clinical or advanced examination for the examination required to be passed by a graduate social worker; or
- (2) A clinical examination for the examination required to be passed by the certified social worker.

.13 License Without Examination.

An individual who obtained licensure without examination under Ch. 853, Acts of 1975, Ch. 787, Acts of 1978, Ch. 189, Acts of 1983, or Ch. 393, Acts of 1984, is eligible to retain licensure at the level for which that individual was originally licensed if the license is renewed under the provisions of Regulation .15 of this chapter.

.14 To Practice Social Work While a License Application is Pending.

A. An applicant may practice social work in Maryland without a license issued by the Board if the applicant has met the requirements established by this regulation and:

(1) Is:

(a) Licensed in any other state to practice social work;

(b) Qualified to practice social work by another country; or

(c) Qualified to practice social work by a federal entity of the United States;

(2) Has submitted a complete written application for a State social worker's license in the form prescribed by the Board and the application for a license is pending with the Board;

(3) Has received verification from the Board that a complete written application for a State social worker's license has been received by the Board;

(4) Is 18 years old or older at the time the application is submitted to the Board;

(5) Is of good moral character;

(6) Has passed, or expects to pass within 5 months of applying for licensure, an Association of Social Work Boards examination in compliance with Regulation .12 of this chapter; and

(7) Has paid applicable fees.

B. To practice as a social work associate under this regulation, the applicant shall:

(1) Meet the requirements of §A of this regulation; and

(2) Possess a baccalaureate degree in social work from a program accredited by the Council on Social Work Education.

C. To practice as a graduate social worker under this regulation, the applicant shall:

(1) Meet the requirements of §A of this regulation; and

(2) Possess a master's degree in social work from a program accredited by the Council on Social Work Education.

D. To practice as a certified social worker under this regulation, the applicant shall:

- (1) Meet the requirements of §A of this regulation;
- (2) Possess a master's degree in social work from a program accredited by the Council on Social Work Education;
- (3) Provide documentation in a form prescribed by the Board:
 - (a) Of having completed 2 years of supervised experience of at least 3,000 hours after receiving the master's degree, with a minimum of 144 hours of periodic face-to-face supervision in the practice of social work:
 - (i) As a licensee in another state;
 - (ii) As a social worker who is in compliance with the laws of another country; or
 - (iii) As a social worker who is in compliance with a federal entity of the United States;
 - (b) Indicating that the supervision complied with the supervision requirements of:
 - (i) The other state;
 - (ii) The other country; or
 - (iii) A federal entity of the United States; and
 - (c) Indicating that the supervisor possessed a master's degree in social work from a program accredited by the Council on Social Work Education while supervising the applicant.

E. To practice as a certified social worker-clinical under this regulation, the applicant shall:

- (1) Meet the requirements of §A of this regulation and Regulation .05D(2), (7), and (9) of this chapter;
- (2) Possess a master's degree in social work from a program accredited by the Council on Social Work Education;
- (3) Document the completion of clinical course work from a program accredited by the Council on Social Work Education;
- (4) Provide documentation in a form prescribed by the Board:
 - (a) Of having completed 2 years of supervised experience of at least 3,000 hours after receiving the master's degree, with a minimum of 144 hours of periodic face-to-face supervision in the assessment, formulation of a diagnostic impression, and treatment of mental disorders and other conditions in:
 - (i) Another state;
 - (ii) Another country; or
 - (iii) A federal entity of the United States;
 - (b) Indicating that the supervision complied with the supervision requirements of:

(i) The other state;

(ii) The other country; or

(iii) A federal entity of the United States; and

(c) Indicating that the supervisor possessed a master's degree in social work from a program accredited by the Council on Social Work Education while supervising the applicant.

F. An applicant may not:

(1) Practice social work under this regulation for more than 6 months; or

(2) Represent to the public by title or representation that the applicant is a social worker who is licensed in Maryland to practice social work.

.15 Licenses.

A. In addition to the requirements of Health Occupations Article, §19-306, Annotated Code of Maryland, the licensee shall be assigned a permanent license number that shall be in the official files of the Board.

B. The license and renewal certificate shall be displayed in a conspicuous location in the licensee's principal place of practice.

.16 Renewal of License.

A. Licenses shall be renewed by October 31, every 2 years.

B. For renewal purposes, a new license issued during a given year shall be treated as if it had been issued on November 1 of that same year.

C. Notification of renewal and an application for renewal shall be mailed to each licensee at the address on file with the Board at least 1 month before the expiration of the license.

D. The application for renewal, the continuing education report form, the license fee, as set forth in COMAR 10.42.05, shall be submitted to the Board before expiration of the license.

E. If a licensee does not file the application by the date specified in §D of this regulation, the licensee's right to practice shall terminate automatically on the expiration of the license.

F. If a licensee fails to renew a license and does not file application for renewal with payment of the appropriate fees within 60 days after expiration of the license, the license and the licensee's right to practice:

(1) Shall terminate; and

(2) May not be reinstated except by application for a reinstatement provided in Regulation .17 of this chapter.

G. Change of Address.

(1) A licensee shall notify the Board within 60 days of a change in the licensee's address or before August 1 of the licensee's renewal year, whichever occurs first, to ensure that the notice of renewal and renewed license are properly addressed.

(2) The notification shall include:

- (a) A statement that the licensee has changed addresses;
- (b) The licensee's new address; and
- (c) The licensee's signature.

H. If a licensee fails to receive a renewal notice, it is the responsibility of the licensee to contact the Board before October 31 of the year the license expires.

.17 Reinstatement After Failure to Renew.

A. The Board shall reinstate the license of an individual who has failed to renew a license which expired for any reason if the individual:

- (1) Otherwise is entitled to be licensed;
- (2) Complies with the continuing education requirements established by the Board for this purpose;
- (3) Submits the application for reinstatement;
- (4) Submits the continuing education report form with copies of the required continuing education documentation as set forth in COMAR 10.46.06;
- (5) Pays to the Board a license reinstatement processing fee in COMAR 10.42.05; and
- (6) Applies to the Board within 5 years of the date the license expired.

B. Failure to Reinstate Within 5 Years.

- (1) The Board may not reinstate the license of a social worker who fails to apply for reinstatement within 5 years after the license expired.
- (2) An individual who fails to apply for reinstatement within 5 years may become licensed by meeting the current requirements for obtaining a new license under this Chapter.

.18 Inactive Status.

A. A licensee who wishes to place a license on inactive status may do so by:

- (1) Submission of a written application which contains the:
 - (a) Date the license is to be placed on inactive status;
 - (b) License number; and

(c) Signature of the licensee requesting the inactive status of the license; and

(2) Payment of the appropriate fee for the status set forth in COMAR 10.42.05.

B. A license may be placed on inactive status for a maximum of 5 years from the date of initial placement on inactive status.

C. The Board shall reactive a license of an individual who places the license on inactive status for any reason if the individual:

(1) Otherwise is entitled to be licensed;

(2) Complies with the continuing education requirements established in COMAR 10.42.06;

(3) Submits an application for reactivation;

(4) Submits a continuing education report form with copies of the required documentation established in COMAR 10.46.06;

(5) Pays the Board a reactivation fee set forth in COMAR 10.42.06; and

(6) Applies to the Board within 5 years of the date the license expired.

D. Failure to Reactivate Within 5 years.

(1) The Board may not reactivate the license of a social worker who fails to apply for reactivation within 5 years after the license expired.

(2) An individual who fails to apply for reactivation within 5 years may become licensed by meeting the current requirements for obtaining a new license under this chapter.

E. A licensee may place a license on inactive status for a maximum of 5 years per application for inactive status.

F. Each period of inactive status may not exceed 5 years.

.19 Replacement of Licenses.

A. The Board shall issue a replacement license upon:

(1) Written request by a licensee who demonstrates to the satisfaction of the Board that the license was lost, destroyed, or mutilated;

(2) Payment of a replacement fee set forth in COMAR 10.42.05; and

(3) Without the replacement fee if the licensee submits a written affidavit indicating that the license was never received.

B. If an original license is replaced or renewed, the licensee shall retain the original license number issued.

Administrative History

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Regulations .07, .13, and .16 amended effective May 23, 1983 (10:10 Md. R. 873)

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Regulations .02—.04 and .16 amended, and new Regulation .04-1 adopted as an emergency provision effective September 15, 1993 (20:20 Md. R. 1565); adopted permanently effective December 1, 1993 (20:22 Md. R. 1707)

Regulations .01—.22 repealed and new Regulations .01—.19 adopted effective April 12, 2004 (31:7 Md. R. 585)

Regulation .08 amended effective February 8, 2010 (37:3 Md. R. 176)

Regulation .16 amended effective February 8, 2010 (37:3 Md. R. 176)

Regulation .17 amended effective February 8, 2010 (37:3 Md. R. 176)

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